

Notice of Allowability**Application No.**

10/812,332

Applicant(s)

WAGENKNECHT ET AL.

Examiner

Cassandra Davis

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed Sept 17, 2007 and August 15, 2008.
2. ☒ The allowed claim(s) is/are 13-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20081208.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

//Cassandra Davis//
Primary Examiner, Art Unit 3611

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Terry Wagenknecht on December 8, 2008.

The application has been amended as follows:

Claim 13: A curved flexible plastic display for retaining a sheet of paper, and comprising;

- i. a thin, planar flexible plastic substrate body;
- ii. an inverted u-shaped slit cut through said substrate body, and located in an approximate center of said substrate body, where two distal endpoints located at a bottom portion of said u-shaped slit are directioned inwardly and upwardly to prevent tearing of said substrate body;
- iii. a resulting center portion is an appendage established by said slit and is sized to be smaller in size than said sheet of paper;
- iv. a means for retaining said substrate body in a laterally curved position;
- v. wherein said means for retaining cooperates with folded tabs located within a lower portion of said substrate body;

whereas said sheet of paper is adapted to be sandwiched between a rearward and concave surface of said substrate body and a frontward and convex surface of said appendage;

wherein said paper is securely retained.

Claim 14: A curved flexible plastic display as recited in claim 13, further comprising; said means ~~[element] for retaining~~ being a fixed width wire rod leg set ~~[as said means for retaining said laterally curved position]~~.

Claim 15: A curved flexible plastic display as recited in claim 13, further comprising; said means ~~[element] for retaining~~ being a fixed length tie strap ~~[as said means for retaining said laterally curved position]~~.

Claim 16: A curved flexible plastic display as recited in claim 13, further comprising; said means ~~[element] for retaining~~ being an elastic bungee type cord ~~[as said means for retaining said laterally curved position]~~.

Claim 17: A curved flexible plastic display as recited in claim 13, further comprising cooperating tabs and notches within a lower portion of said substrate body as said means for retaining said laterally curved position.

Claim 18: A curved flexible plastic display as recited in claim 13, further comprising; a plurality of apertures in a lower portion of said substrate body for securing said means for retaining said laterally curved position.

2. The following is an examiner's statement of reasons for allowance: The prior of record does not teach or suggest the curved flexible plastic display for retaining a sheet

of paper comprising the combination of the thin planar flexible substrate body with an inverted U-shaped slit cut through center of the substrate body to define a center portion, tabs located at a lower portion of the substrate body and a means for retaining the substrate body in a laterally curved position wherein the distal endpoints of the slit are directed inwardly and upwardly to prevent tearing and wherein the means for retaining cooperates the tabs. The examiner considers the "means for retaining" as invoking 112 6th paragraph.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cassandra Davis whose telephone number is 571-272-6642. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cassandra Davis/
Primary Examiner
Art Unit 3611

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